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October 5, 2007

Honorable Leonard B. Sand, U.S.D.J.
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street, Room 1650
New York, N.Y. 10007

Re: *U.S. v. Alton Davis et al., including Roderick Gunn,*
Dkt. No. S1 06 Cr. 911 (LBS)

Dear Judge Sand:

As court-appointed counsel for Mr. Roderick Gunn in the above-captioned criminal case, this letter is submitted to supplement my request made to the Court in a letter dated September 14, 2007 in which I asked for the appointment of Mr. Mitchell Dinnerstein as learned counsel to assist me in the defense of Mr. Gunn pursuant to **Title 18 U.S.C. § 3599**. In my letter of September 14th, I failed to include a request for enhanced compensation for Mr. Dinnerstein and me at the “death penalty” hourly rate of \$166 per hour which is authorized in this district for court-appointed counsel.

Considering the unique challenges and demands that are placed upon us in representing Mr. Gunn, an individual facing a potential death penalty trial, the enhanced compensation rate under these circumstances is inherently reasonable.

Attached is a proposed order which requests that Mr. Dinnersten be appointed as learned counsel and that the two of us be compensated at the enhanced rate. The proposed order also requests for the submission of interim vouchers on a 90-day basis.

RICHARD PALMA
ATTORNEY AT LAW

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letter to Hon. Leonard B. Sand, U.S.D.J.
October 5, 2007

Should Your Honor have any questions concerning this matter,
I am available immediately by cell phone at (917) 751-574.

Thank you.

Respectfully submitted,

Richard Palma

Richard Palma

Attachment.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----x
UNITED STATES OF AMERICA

-against-

ORDER

S1 06 Cr. 911 (LBS)

RODERICK GUNN,
Defendant.

-----x

Upon the *EX-PARTE* application of RODERICK GUNN by his attorney RICHARD PALMA, for an Order authorizing the appointment of *Learned Counsel* pursuant to Title 18 U.S.C. § 3553 (d) & Title 18 U.S.C. 3006A:

IT IS HEREBY ORDERED, that:

1. MITCHELL DINNERSTEIN, ESQ., assist RICHARD PALMA, ESQ., in the representation of RODERICK GUNN, in the above-captioned matter, as *learned counsel*, pursuant to Title 18 U.S.C. § 3553 (d) & Title 18 U.S.C. 3006A.
2. Court-appointed counsels, MITCHELL DINNERSTEIN and RICHARD PALMA, are to be compensated at the enhanced rate of \$166 per hour and that the enhanced hourly rate may be charged *nunc pro tunc* from August 28, 2007, the date that the defendant was arraigned on this indictment in the Southern District of New York.
3. Interim vouchers may be submitted every 90-days starting from August 28, 2007.

Dated: October ___, 2007
New York, N.Y.

SO ORDERED

LEONARD B. SAND
UNITED STATES DISTRICT JUDGE

RICHARD PALMA
ATTORNEY AT LAW